

**RICHARD B. LIND**

ATTORNEY AT LAW  
745 FIFTH AVENUE  
SUITE 902  
NEW YORK, N.Y. 10151  

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TELEPHONE (212) 888-7725  
FACSIMILE (212) 371-2961  
E-MAIL: RLINDESQ@AOL.COM

December 10, 2010

**Via ECF**

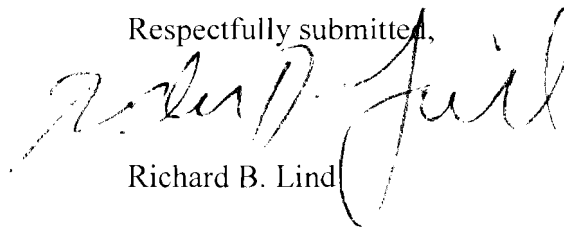
Hon. Brian M. Cogan  
United States District Judge  
United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: United States v. John Franzese  
08 CR 240 (BMC)

Dear Judge Cogan:

I represent defendant John Franzese in the above-referenced case. He is scheduled to be sentenced on December 17, 2010. Pursuant to Part V of Your Honor's Individual Practice Rules, I am confirming that the sentencing of defendant John Franzese should proceed as scheduled. I filed a Sentencing Memorandum on behalf of my client on December 3, 2010, and the government filed its Sentencing Memorandum on December 9, 2010.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard B. Lind", is written over the typed name.

Richard B. Lind

cc: All Counsel (by ECF)